

Serial No. 10/071,840

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kathleen M. Miller et al.

Serial No.: 10/071,840

Filed: 02/08/2002

Title: IMPLANTABLE OR INSERTABLE MEDICAL DEVICE RESISTANT
TO MICROBIAL GROWTH AND BIOFILM FORMATION

Art Unit: 3738

Examiner: Isabella, David J.

Docket No.: 98-P0151

VIA FACSIMILE 703-872-9302
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This is responsive to the Office Action mailed October 2, 2003 in the above matter.

Restriction to one of the following inventions is required under 35 U.S.C. §121:

- I. Claims 1-47 and 70-72, drawn to a medical device.
- II. Claims 48-69, drawn to a method of making a medical device.

Applicants hereby elect the invention of Group I, claims 1-47 and 70-72, with traverse, for prosecution on the merits.

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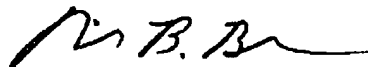
CONCLUSION

Applicants submit that the claims of the present invention are in condition for allowance, early notification of which is earnestly solicited.

FEES

The Office is authorized to charge any fees required, to deposit account number 50-1047.

Respectfully submitted,



David B. Bonham
Registration No. 34,297

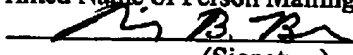
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Certificate of Facsimile Transmission

I hereby certify that this document and any document referenced herein is being sent to the United States Patent and Trademark office via Facsimile to: 703-872-9302 on Nov. 3, 2003.

David B. Bonham

(Printed Name of Person Mailing Correspondence)


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Re: In connection with Serial No. 10/071,840, please find enclosed a response to the outstanding Office Action mailed October 2, 2003. **CC:**

David Bonham

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